
Introduced by Senator Simitian

February 22, 2005

An act to amend Section 8842 of the Fish and Game Code, relating to fishing.

LEGISLATIVE COUNSEL'S DIGEST

SB 768, as introduced, Simitian. Fishing: trawl nets.

Existing law generally permits the use of trawl nets, as defined, for the taking of fish and other marine life, except as otherwise prohibited for specific species or in various areas of the state. Existing law specifically authorizes the taking of shrimps and prawns by use of a trawl net under a permit issued by the Department of Fish and Game and grants the Fish and Game Commission authority over all state-managed bottom trawl fisheries not managed under a federal or state fishery management plan. Existing law requires the commission, commencing January 1, 2008, to permit the taking of pink shrimp not less than two nautical miles from shore in specified waters if the commission makes specified findings relating to the use of trawl gear.

This bill would modify that provision to require the commission, commencing July 1, 2008, to permit the taking of pink shrimp not less than two nautical miles from shore in specified waters if the commission makes specified findings relating to the use of trawl gear, as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 8842 of the Fish and Game Code is
- 2 amended to read:

1 8842. (a) Trawl nets of a design prescribed by the
2 commission may be used or possessed to take shrimps or prawns
3 under a permit issued by the department under regulations
4 adopted by the commission.

5 Sections 8831, 8833, 8835, and 8836 do not apply to trawl nets
6 used or possessed under a permit issued pursuant to this section.

7 (b) Trawling for shrimps or prawns shall be authorized only in
8 those waters of Districts 6, 7, 10, 17, 18, and 19 that lie not less
9 than three nautical miles from the nearest point of land on the
10 mainland shore, and all offshore islands and the boundary line of
11 District 19A, except that in waters lying between a line extending
12 due west from False Cape and a line extending due west from
13 Point Reyes, trawling is allowed not less than two nautical miles
14 from the nearest point of land on the mainland shore until
15 January 1, 2008.

16 (c) When fishing for pink shrimp (*Pandalus jordani*) under a
17 permit issued pursuant to this section, it is unlawful to possess in
18 excess of 1,500 pounds of incidentally taken fish per calendar
19 day of a fishing trip, except Pacific whiting, shortbelly rockfish,
20 and arrowtooth flounder, which may be taken in any amount not
21 in excess of federal regulations. No Pacific halibut and not more
22 than 150 pounds of California halibut shall be possessed or
23 landed when fishing under a permit issued pursuant to this
24 section. When fishing for ridgeback prawn and spotted prawn
25 under a permit issued pursuant to this section, it is unlawful to
26 possess in excess of 1,000 pounds of incidentally taken fish per
27 trip.

28 (d) Commencing ~~January~~ *July* 1, 2008, the commission shall
29 permit the taking of pink shrimp not less than two nautical miles
30 from shore in waters that lie between a line extending due west
31 from False Cape and a line extending due west from Point Reyes
32 from the nearest point of land on the mainland shore, if the
33 commission finds that, upon review of information from the
34 federal groundfish observer program and other available research
35 and monitoring information that it determines relevant, the use of
36 trawl gear minimizes bycatch, will not damage seafloor habitat,
37 will not adversely affect ecosystem health, and will not impede
38 reasonable restoration of kelp, coral, or other biogenic habitats.
39 The commission shall pay special attention to areas where kelp
40 and other biogenic habitats existed and where restoring those

- 1 habitats is feasible, and to hard bottom areas and other substrate
- 2 that may be particularly sensitive to bottom trawl impacts in
- 3 making that finding.

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